GUIDELINES FOR COMPLETING QUESTIONNAIRE

1. Before completing the questionnaire please note:

   You **must not** be currently represented by counsel and the crime and conviction must have occurred in Michigan.

2. An inmate requesting the assistance of the Michigan Innocence Clinic must FULLY and LEGIBLY complete the following questionnaire. Please be sure to fill the questionnaire out in ink and sign the authorization on page 19. Return the completed questionnaire to the address on the questionnaire.

3. Please keep us informed of any address changes.

4. Please **DO NOT** send any transcripts, pleadings, or the like along with your questionnaire. If we need additional documentation to investigate your matter we will contact you at that time. Any additional documents sent in with a questionnaire will be returned to you.

5. Please note that you **will not** receive a confirmation from us that your questionnaire was received in our office. Your next communication from us will be a letter informing you of our decision. Please understand that due to the overwhelming number of requests for assistance, there is a wait of a **two years or more** before a questionnaire is reviewed.
THE MICHIGAN INNOCENCE CLINIC

CASE SCREENING QUESTIONNAIRE

Return to: The Michigan Innocence Clinic
University of Michigan Law School
625 South State Street
Ann Arbor, MI 48109-1215

INSTRUCTIONS: Please answer, as fully as you can, all questions that apply to your case. Your case cannot be considered for possible use in the clinic until this questionnaire is completed, signed, and returned to the above address. DO NOT send us any documents of any kind when you return this questionnaire. We may ask you to send us documents later, but do not send them to us now.

Name: _________________________________________________________________

MDOC #: ______________________________________________________________

Mailing Address: _________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

I. THE BASIC FACTS ABOUT YOU AND YOUR CONVICTION

1. List all of the charges you were convicted of for which you are now in prison.
_______________________________________________________________________
_______________________________________________________________________

2. Are you totally innocent of ALL of these charges? Yes_______ No_______
If no, which of the charges are you totally innocent of? ________________
3. Were you involved at all in any of the crimes for which you are now in prison?
   Yes_______ No________
   If YES, please briefly tell us how you were involved________________________
   ______________________________________________________________________
   ______________________________________________________________________

4. Were you present at the scene of the crime before, during, or after the crime?
   Yes_____ No_______. If YES, please briefly explain________________________
   ______________________________________________________________________

5. How were you convicted of the crimes for which you are now in prison?
   Jury Trial ___ Bench Trial ____ Guilty or Nolo Plea ____
   Did you have more than one trial? Yes ____ No _____
   If YES, list the result of each trial (Examples: hung jury, mistrial, conviction reversed on appeal, conviction affirmed on appeal) ______________________
   ______________________________________________________________________

6. What is the length of the sentence you are now serving?_____________________
   When is or was your first outdate? ______________________________________
   What is your maximum discharge date? _________________________________

7. What is your first language?____________________

8. What is the highest grade you completed in school? _______________________

9. Were you employed at the time of your arrest? Yes _____ No _____
   If YES, who was your employer (include address and phone number)?
10. Please provide the names, address, and phone numbers of family and friends who have information regarding your case.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Do you give us permission to contact all of these people to discuss the specific details of your case? Yes ____ No ____ Signature ______________________

II. YOUR STATEMENT OF THE FACTS OF THE CRIME

In the space provided below, please tell us your version of what really happened at the time of the crime (who, what, when, where, and why). If some of your information comes from what other people told you, please tell us who told you what. If you don’t know what happened at the time of the crime because you were somewhere else, please tell us where you were and who you were with, if anyone.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
III. NEW EVIDENCE

1. Are you aware of any new evidence that exists in your case that would lead to proof of your innocence? [“New evidence” can include, among other things, newly-discovered physical evidence, a newly-discovered witness, a key witness who has recanted his or her trial testimony, evidence in existence at the time of your trial that can now be subjected to new scientific testing, and evidence or a witness that should have been found and presented by your trial attorney but was not presented at trial.]

   Yes _____  No ______

   If YES, describe the new evidence below as clearly as you can and tell us why this evidence could help you prove that you are innocent:

   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

2. If there is new evidence in your case, has any of this new evidence already been presented to any judge? Yes _____ No ______

   If YES, tell us which judge was presented with the evidence, when and how the evidence was presented to that judge (Examples: testimony at a hearing, affidavit, letter) and what the judge said or wrote about the new evidence, if anything.

   __________________________________________________________
   __________________________________________________________
3. Have you taken a polygraph (lie detector) test about your involvement in the crime for which you are in prison?  Yes _______  No _________

If YES, when did you take the test, who administered it, and did the examiner say that you passed or failed the test (include all polygraph tests you have taken about this crime; we understand that polygraphs test results are often not accurate)?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

If you did take a polygraph test, do you have a written report of the results of the test?  Yes _____  No _______

If you did take and failed a polygraph test, why do you think you failed?

________________________________________________________________________

4. Would you be willing to take a polygraph (lie detector) test at our request?  Yes _______  No _________

IV.  THE CRIME, YOUR ARREST, AND THE POLICE INVESTIGATION

1.  When did the crime occur (date and time of day)? _________________________

2.  Where did the crime occur (location/address, city)? ________________________

3.  When were you arrested (date and time of day)? __________________________

4.  Where were you arrested (location/address, city)? _________________________
5. What were the names of the victims, if there were any? _____________________

__________________________________________________________________

6. Who was the officer in charge of the case? Name: _________________________

Police Department: __________________________

7. Did the police have any witnesses identify you or other possible suspects in a lineup or showup? Yes _____ No _____

If YES, tell us when and where the lineup or showup occurred, who the witnesses were, and whether each witness picked you or anyone else out of the lineup or showup. Please also tell us anything else you believe we should know about the lineup or showup.

__________________________________________________________________

__________________________________________________________________

__________________________________________________________________

8. Did the police have any witnesses identify you or other possible suspects from photographs before you were convicted? Yes _____ No _____

If YES, tell us when and where the photos were shown, who the witnesses were, and whether each witness picked you or anyone else out of the photographs. Please tell us anything else you believe we should know about the photographs.

__________________________________________________________________

__________________________________________________________________

__________________________________________________________________

9. Did you make any statements to the police before or after you were arrested? Yes _____ No _____

If YES, answer each of the questions below. If NO, skip ahead to Section V.

(a) How many times were you interviewed by the police where you made a statement? ____________

(b) When did you make each statement? (Example: the day before the arrest, during the arrest, two weeks after the arrest, etc.) ______________________
(c) Were any of your statements recorded on tape or video? Yes ____ No _____
Which ones were recorded?____________________________________________________

(d) Were any of your statements written down? Yes ____ No _____
Which ones were written down?__________________________________________________
Who wrote them down?________________________________________________________
Did you sign any written statements? Yes ____ No _____
Which ones did you sign?_______________________________________________________

(e) For each statement you made to the police, briefly tell us what you said:
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

(f) Were any of your statements not true? Yes _____ No _____
If YES, which ones were not true, what was not true in those statements, and why did you tell the police something that was not true?
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

V. YOUR CASE IN THE TRIAL COURT
1. Where were you convicted? County: __________________________
   Who was the judge? __________________________

2. Were other people charged in connection with this crime? Yes_____ No_______
   If YES, list their names and briefly tell us what happened to them (Examples: convicted in the same trial with you, convicted in a separate trial, convicted of lesser charges, acquitted, died before trial, pled guilty, pled guilty and testified against you, etc.)

   Name __________________ Result ____________________________________
   Name __________________ Result ____________________________________
   Name __________________ Result ____________________________________
   Name __________________ Result ____________________________________

   If you have current addresses and/or phone numbers for the people who were charged with you, write them here __________________________________
   __________________________________________________________________
   __________________________________________________________________

3. What was the date you were convicted?__________________________________

4. Who were your trial attorneys in the trial court (include all attorneys who represented you in the trial court)? _____________________________________
   __________________________________________________________________

5. Who was the lead prosecutor in the trial court?____________________________

6. What motions, if any, did your trial attorneys file for you in the trial court, and how did the trial judge rule on each motion?
   Motion and Judge’s Ruling___________________________________________
   __________________________________________________________________
   Motion and Judge’s Ruling___________________________________________
   __________________________________________________________________
VI. GUILTY OR NOLO CONTENDERE (“NO CONTEST”) PLEA CASES

Answer these questions only if you pleaded guilty or nolo contendere (“no contest”) to the charges for which you are now in prison. If you went to trial, skip ahead to Section VII.

1. Type of plea: Guilty ________  Nolo Contendere (“no contest”) __________

2. Did your attorney talk to you about a plea bargain?  Yes _____  No ________
   If YES, what did your attorney tell you about the plea bargain? ______________
   ______________________________________________________________________
   ______________________________________________________________________

3. Why did you decide to plead guilty or nolo contendere (“no contest”)? _______
   ______________________________________________________________________
   ______________________________________________________________________

4. Have you ever tried to withdraw your plea?   Yes _______   No ________
   If YES, when did you try to withdraw it (Examples: before sentencing, during the appeal, after the appeals)? _____________________________
   If YES, what reason did you (or your lawyer) give for trying to withdraw your plea? _____________________________
   If YES, what reason did the court give for not letting you withdraw your plea?
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
VII. TRIAL CASES

Answer these questions only if you were convicted after a jury trial or a bench trial for the charges for which you are now in prison. If you were convicted by plea, skip ahead to Section VIII.

1. Type of trial: Jury Trial _________ Bench Trial________

   If you had a bench trial, why did you decide to let the judge decide your case?

   ____________________________________________________________

   ____________________________________________________________

2. Did you testify at your trial? Yes _______ No _________

   If NO, why didn’t you testify? __________________________________

   ____________________________________________________________

3. Did any victims testify at your trial? Yes _______ No _________

   If YES, list their names and tell us any information you have that could help us locate them now

   ____________________________________________________________

   ____________________________________________________________

4. Did any eyewitnesses to the crime other than the victims testify for the prosecution at your trial? Yes_____ No____

   If YES, list their names and tell us any information you have that could help us locate them now.

   ____________________________________________________________

   ____________________________________________________________

   ____________________________________________________________
5. Did any eyewitnesses to the crime testify for you at your trial? Yes____ No____

If **YES**, list their names and tell us any information you have that could help us locate them now.

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

6. Did any expert witnesses testify for the prosecution? Yes____ No____

If **YES**, list their names, explain what kind of expert testimony they gave (Examples: fingerprint, ballistics, DNA, psychiatric, etc.), and tell us any information you have that could help us locate them now.

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

7. Did any expert witnesses testify for you? Yes____ No____

If **YES**, list their names, explain what kind of expert testimony they gave (Examples: fingerprint, ballistics, DNA, psychiatric, etc.), and tell us any information you have that could help us locate them now.

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

8. Did anyone else charged with the same crimes you were charged with testify against you? Yes ____ No____

If **YES**, list their names and tell us any information you have that could help us locate them now.

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
If **YES**, which of the witnesses listed above, if any, admitted during the trial that they were getting a deal for testifying against you? ____________________________

9. Did anyone else charged with the crimes you were charged with testify for you?  
   Yes ____ No_____
   
   If **YES**, list their names and tell us any information you have that could help us locate them now.____________________________________________________
   _____________________________________________________________
   _____________________________________________________________
   _____________________________________________________________

10. Did anyone who was facing other criminal charges testify against you?  
    Yes ____ No_____
    
    If **YES**, list their names and tell us any information you have that could help us locate them now.____________________________________________________
    _____________________________________________________________
    _____________________________________________________________
    _____________________________________________________________

   If **YES**, which of the witnesses listed above, if any, admitted during the trial that they were getting a deal for testifying against you? ____________________________

11. What do you believe was the most important evidence and testimony the prosecution introduced that caused the jury or judge to find you guilty?  
    
    _____________________________________________________________
    _____________________________________________________________
    _____________________________________________________________
    _____________________________________________________________
    _____________________________________________________________
12. What kind of defenses, if any, did your attorney present or argue at your trial? (Examples: alibi, self-defense, consent, mistaken identification, insanity, accident, etc.) _____________________________________________________

13. Did your attorney call any witnesses to support your defenses besides the witnesses you have listed in your answers to questions 5, 7, and 9? Yes _____ No _______

If YES, list the names of other witnesses who testified for you, briefly tell us what they testified about, and tell us any information you have that could help us locate them now _________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

VIII. PHYSICAL EVIDENCE

1. Were any of the following pieces of evidence gathered from the crime scene or from the victim? Check all that apply:

Hair _____ Semen _____ Blood _____ Fingernail Scrapings _____
Fingerprints _____ Victim’s Clothing _____ Perpetrator’s Clothing _____
Shoeprints _____ Footprints _____ Gun _____ Knife _____
Other Weapons _____ Broken Glass _____ Saliva _____ Skin _____
Sheets or Bed Covers _____ Cigarette Butts _____ Drinking Cups _____
Carpets/Rugs _____ Auto or Auto Interior _____ Rape Kit _______
Other: _____ Please describe other physical evidence ___________________
2. Was any testing done on any of this physical evidence? Yes _____ No _____
   If YES, which pieces of evidence were tested, what kind of testing was done, and what were the results?
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________

3. Do you know if any of this evidence is still available for testing? Yes ___ No ___
   If YES, which evidence? ______________________________________
   ______________________________________________________
   Who has each of these pieces of evidence? ________________________
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________

IX. APPEALS, 6500 MOTIONS, AND FEDERAL HABEAS
1. After you were convicted, did you appeal to the Michigan Court of Appeals? Yes ___ No ___
   If YES, who was your appellate attorney? ________________________
   What issues did he or she raise on appeal (list all of them)? ____________
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________
2. Did your appellate or trial attorney file any motions in the trial court after you were convicted but before your appeal was decided? (Examples: Motion for Resentencing, Motion for New Trial, Motion for Evidentiary Hearing, etc.)

Yes ____ No _____

If YES, what motions were filed and for each motion tell us whether the judge held a hearing and what ruling the judge made on that motion.

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

3. Before your appeal was decided, did your appellate attorney ask the Michigan Court of Appeals to remand your case back to the trial court for some kind of hearing? Yes ____ No _____

If YES, what kind of hearing did your appellate attorney request, was the remand granted, and, if the remand was granted, what was the result of the hearing in front of the trial judge?

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

4. If you appealed to the Michigan Court of Appeals after your conviction, did your appeal then go on to the Michigan Supreme Court? Yes ___ No ____

If YES, who was your attorney in the Michigan Supreme Court, if you had one?

_________________________________________________________________

5. Have you filed any Motions for Relief from Judgment (“6500 Motions”) in the trial court? Yes ____ No _____

If YES, when did you file the motion or motions? ___________________________
If you had any attorneys for your 6500 motions, who were they?

List all of the issues raised in your 6500 motions and how the judge ruled on each issue:

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

If you did file a 6500 motion, was that motion appealed to the Michigan Court of Appeals?  
Yes _____ No ____

If YES, what issues were raised on appeal, and how did the Michigan Court of Appeals rule on the appeal?

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

If your 6500 motion was appealed to the Michigan Court of Appeals, was it also appealed to the Michigan Supreme Court?  
Yes _____ No ____

Do you still have a 6500 motion pending either in the trial court or on appeal?  
If YES, in which court is the 6500 motion currently pending?

___________________________

6. Have you filed a habeas corpus petitions in federal court?  Yes _____ No ____
If **YES**, when did you file the habeas corpus petition?

__________________________

Which federal judge heard your habeas petition? __________________________

If you had attorneys for your habeas corpus petition, who were they?

_________________________________________________________________

List all of the issues raised in your federal habeas corpus petition and how the federal judge ruled on each issue:

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

If you did file a habeas corpus petition, was there an appeal to the 6th Circuit? 
Yes ____ No ____

If **YES**, what issues were raised on the appeal to the 6th Circuit? ______________

_________________________________________________________________

_________________________________________________________________

Do you still have a federal habeas corpus petition motion pending either with the federal court or on appeal? 
Yes _____ No _____

If **YES**, in which court is the habeas corpus petition currently pending? __________________________

7. Are you currently represented by any attorneys?  Yes ____ No ____

If **YES**, who are your current attorney? _________________________________
X. CASE MATERIALS

Please check the documents or materials below that you could make available to us if we requested them. **Do NOT send us any documents or materials now or at any time until and unless we request them.**

- Pretrial Hearing Transcripts
- Police Reports
- Trial or Plea Transcripts
- Sentencing Transcript
- Physical Evidence, Laboratory, or Medical Reports
- Presentence Report
- Brief on Appeal or Application to Michigan Court of Appeals
- Prosecutor’s Brief to Michigan Court of Appeals
- Opinion or Order of Court of Appeals
- Motion for Relief from Judgment (6500 Motion)
- Opinion or Order of Trial Court on 6500 Motion
- Federal Habeas Corpus Petition

If you do not have some of these documents but someone else does, please provide us with the name, address, and telephone number of the person who does have them and tell us which of the above documents this person has.
AUTHORIZATION

I authorize any attorney, law student, or staff member working with the Michigan Innocence Clinic to communicate with all of my previous attorneys, the Michigan Department of Corrections, probation and parole officers, governmental agencies, and all other persons having information he or she deems necessary in evaluating my case, and to examine and photocopy all communications, correspondence, investigation reports, probation and presentence reports, custodial files, medical evaluations, employment records, and other documents pertaining to me in the possession of such persons or agencies.

I also authorize and direct my previous attorneys to release my files and discuss my privileged communications with the Michigan Innocence Clinic and/or any attorney, law students, or staff member working for the Michigan Innocence Clinic. Further, I authorize and direct the Michigan Department of Corrections, probation and parole officers, and all other persons and governmental agencies to release to the Michigan Innocence Clinic and/or any attorney, law student, or staff member working for the Michigan Innocence Clinic, for examination and photocopying, all such communications, correspondence, court documents, investigation reports, probation and presentence reports, custodial files, medical evaluations, employment records, and other documents pertaining to me, and any case involving me, in their possession. I understand that the Michigan Innocence Clinic’s attorneys, law students, and staff members will keep all privileged files and communications confidential. I understand that the faculty, staff, and students at the University of Michigan Law School Innocence Clinic will keep track of any confidential information I disclose to them. I consent to the Clinic using confidential information about my case in research or publications so long as I am not identified by name.

Dated: ___________________   _____________________________

Signature

Printed Name